

STATEMENT OF PROCEEDINGS FOR THE REGULAR MEETING OF THE LOS ANGELES COUNTY BUSINESS LICENSE COMMISSION

500 WEST TEMPLE STREET, ROOM 374-A LOS ANGELES, CALIFORNIA 90012

Wednesday, September 14, 2011 9:00 AM

Present: President Afriat, Vice President Campbell, Secretary Vasquez,

Commissioner Barger and Commissioner Lee

I. ADMINISTRATIVE MATTERS

1. Call to Order. (11-3676)

The meeting was called to order by President Afriat at 9:03 a.m.

2. Pledge of Allegiance. (11-3677)

The Pledge of Allegiance was led by President Afriat.

3. Approval of Minutes from Meeting of August 24, 2011. (11-3678)

On motion of Vice President Campbell, seconded by President Afriat, with Commissioner Barger abstaining, the minutes of August 24, 2011 were approved.

Ayes: 4 - President Afriat, Vice President Campbell, Secretary

Vasquez and Commissioner Lee

Abstentions: 1 - Commissioner Barger

Attachments: SUPPORTING DOCUMENT

II. PUBLIC HEARINGS

4. Hearing on application for Bingo Manager Business License ID# 138247 to issue a new business license to Agnes Taavao, Samoan Congregational Christian Church located at 833 Torrance Blvd, Torrance, CA 90502 in the Second District. (11-4013)

Cristina Hernandez, Treasurer and Tax Collector's Office (TTC), reported the application is being handled by the Sherriff's Department and the applicant has obtained all the necessary County approvals, TTC has no

objections to the issuance of the license.

Agnes Taavao, stated that she has read and understands the rules for a bingo manager and that she has spoken with the Sherriff's Department. Ms. Taavao stated that funds raised from weekly bingo are the main income for the church. Bingo meets every Thursday and on average raises up to \$5000 per week, on a slower week funds raised range from \$900 to \$1200. There are approximately 180 members of the church. Ms. Taavao informed the Commission there are two other bingo managers, she is being added as a third manager in the event one of the others cannot be present.

On motion of Vice President Campbell, seconded by Commissioner Barger, the Commission approved the aforementioned License.

Ayes: 5 - President Afriat, Vice President Campbell, Secretary

Vasquez, Commissioner Barger and Commissioner

Lee

Attachments: SUPPORTING DOCUMENT

5. Nine Month Review of Taxicab Driver Business License ID#137562, for Jorge R. Arvizu, Fiesta Taxicab Company, located at 6441 Stafford Avenue, Huntington Park, CA 90255 in the First District. (10-3065)

Cristina Hernandez, Treasurer and Tax Collector's Office (TTC), reported that Mr. Arvizu had not submitted results of monthly drug and alcohol tests and proof of attendance to weekly Alcoholics Anonymous (AA) meetings. Documentation is due every three months as a condition to his license since the last review in December.

Jorge R. Arvizu, through his interpreter, James Andrade informed the Commission he became sick in April and was hospitalized on May 23, 2011 for four weeks. He was not able to work for four months. Mr. Arvizu submitted documentation of drug and alcohol tests with the exception of January and May thru August and weekly AA meeting attendance from December thru April 13, 2011. Mr. Arvizu explained that due to his inability to work for four months, he was unable to pay for the drug and alcohol tests during this time and complete the testing as required.

Ms. Hernandez informed Commission that Mr. Arvizu's license expires on January 31, 2012.

President Afriat asked Mr. Arvizu if he has maintained his sobriety. Mr. Arvizu stated he has been sober and has not taken alcohol or drugs. He is feeling better and should be able to resume work in about one week.

President Afriat advised Mr. Arvizu that informing TTC of his situation would have been a satisfactory explanation for incompliance.

After discussion, on motion of Secretary Vasquez, seconded by Vice President Campbell, the Commission took the following action:

- 1. Mr. Arvizu must resume weekly AA meetings and monthly drug and alcohol testing starting within current month and provide documentation to TTC office.
- 2. Mr. Arvizu will furnish TTC documentation of test results and weekly AA meeting attendance verification for September and October.
- 3. Item will be continued on consent calendar to October 26, 2011.

 Mr. Arvizu does not need to be present. At this time, TTC will report status of September and October.

In addition, TTC will bring renewal before the Commission in January, 2012 prior to license expiration.

Ayes: 5 - President Afriat, Vice President Campbell, Secretary Vasquez, Commissioner Barger and Commissioner Lee

Attachments: SUPPORTING DOCUMENT

Vice President Campbell left the meeting at 10:12 a.m.

6. Hearing on application for Entertainment-General Business License ID#134736, to issue a new business license to Uni He Yang for Joy Kareoke, at 2020 S. Hacienda Blvd., #K Hacienda Heights, CA 91745 in the Fourth District. (Continued from August 24, 2011 meeting) (11-3673)

Cristina Hernandez, Treasurer and Tax Collector's Office (TTC), informed the Commission that the Fourth District had contacted TTC to report constituent complaints received directly through their office and expressed concern of activity at the business location.

Maria Masis, Regional Planning verified the hours of operation as approved by the CUP are 11 a.m. to 12 a.m. Sunday thru Thursday and 11 a.m. to 2 a.m. Fridays and Saturdays. She confirmed the current CUP issued in 2009 allows the sale of beer and wine. There was a previous CUP issued in 2007 that did not allow the sale of alcohol.

Anthony Richardson, Zoning Enforcement reported findings of inspection completed in August resulting from a public complaint of Joy Karaoke violating hours of operation received. His investigation found the business did operate past operating hours and there was no security guard present outside the premises as conditioned in the CUP. An additional inspection was done on September 13, 2011 in which the business did close at 12 a.m.; however the last patron did not leave the building until 12:15 a.m. A notice of violation was sent to the business owner and property owner on September 7, 2011 and September 8, 2011. Mr. Richardson stated there had been only one public complaint on record received by Regional Planning from 2009 to August 2011 and confirmed the CUP issued in 2009 supersedes the original CUP from 2007.

Commissioner Lee referred to an email the Commission received from Hacienda Heights Improvement Association (HHIA), opposing the issuance of the license. He disclosed his position on the association board and expressed that there have been complaints received by HHIA regarding Joy Karaoke.

President Afriat reminded the Commission and members of the public that there has been no recommendation to deny business license.

Araceli Pedroza, Los Angeles County Sherriff's Department on behalf of Industry Sherriff's Department provided reports on calls for service from 2008 until 2011. There were two incidents reported in July, 2011 that resulted in injury.

Uni Yang, stated the business has a full time security guard. Rosario Ko, business manager confirmed there are two security guards present Thursday, Friday and Saturday and one guard present Sunday thru Wednesday. Ms. Ko was aware that they had not been incompliance with the CUP condition of having two security guards present, and will fix this. Ms. Ko informed the Commission she had visited nearby residences after receiving the complaint of noise and reassured the neighbors that they will do what they can to address this and work together to remedy the issue.

President Afriat reminded Ms. Yang that an Entertainment License requires the owner to be present during operational hours unless she has a licensed manager.

Cristina Hernandez, TTC informed the Commission that Ms. Ko has submitted an application to obtain a Manager's License.

On motion of Commissioner Lee, seconded by Commissioner Barger the Commission approved the aforementioned license subject to the following conditions:

- 1. Stage and dressing room waiver.
- 2. Business must be in compliance with the CUP conditions.
- 3. Closing times of 12 a.m. Sunday thru Thursday and 2 a.m. on Fridays and Saturdays must be enforced.
- 4. Last call for alcohol must be one hour prior to closing and limited to one drink per person.
- 5. Two bonded security guards must be present during operating hours.
- 6. Owner must be present during operating hours until Manager has been issued a Manager's License.
- 7. Security tapes must be kept a minimum of thirty days and made available to the Sherriff's Department for review upon request within the stated timeframe.
- 8. Six Month Commission Review

Ayes: 4 - President Afriat, Secretary Vasquez, Commissioner Barger and Commissioner Lee

<u>Attachments:</u> <u>SUPPORTING DOCUMENT</u>

7. Hearing on recommendation to deny Public Eating Business License ID #133203 for Rosa Delgado, Alma's Café & Bar, located at 3837-39, Whittier Blvd., CA 90023 in the First District. (11-4034)

Cristina Hernandez, Treasurer and Tax Collector's Office (TTC), reported that the license renewal is being recommended for denial by the Sherriff's Department.

Armando Chavira, Attorney for of Rosa Delgado, informed the Commission that Ms. Delgado is ill and requested this hearing be continued. Mr. Chavira stated that he has been in correspondence with Deputy Scott Hennessy, Sherriff's Department and is pending reports from him to review. Deputy Hennessy stated there are approximately 140 reports for the past fourteen years and recommended all of which be submitted for review. President Afriat suggested that reviewing the past three years of reports would suffice in making a decision.

Ms. Hernandez, TTC informed the Commission that the Business License expires on September 30, 2011.

Secretary Vasquez recommended reviewing five years of reports.

Deputy Hennessy informed the Commission that the business no longer has their ABC license and is planning to operate as a restaurant only. Mr. Chavira confirmed Deputy Hennessy's statement. Deputy Hennessy asked that an inspection of the location be conducted to ensure the business is operating incompliance of requirements for a restaurant. Mr. Chavira agreed to allow necessary County Departments' access to the business to conduct inspections as needed prior to the hearing.

On motion of Secretary Vasquez, seconded by Commissioner Barger this item was continued to October 26, 2011 to allow time for Ms. Delgado's attorney to review five year history of reports submitted by the Sherriff's Department and allow time for County inspection of location.

Ayes: 4 - President Afriat, Secretary Vasquez, Commissioner Barger and Commissioner Lee

<u>Attachments:</u> <u>SUPPORTING DOCUMENT</u>

III. REPORTS

8. Commissioners' Comments. (11-3747)

The Commission reviewed the Calendar for September and October 2011. The Commission agreed to cancel the meetings of September 21 and September 28, 2011

IV. MISCELLANEOUS

Public Comment

9. Opportunity for members of the public to address the Committee on items of interest that are within the jurisdiction of the Committee. (11-3679)

No members of the Public addressed the Commission.

<u>Adjournment</u>

10. Adjournment for the meeting of September 14, 2011. (11-3680)

The Commission adjourned the meeting at 10:57 a.m. The next meeting is scheduled Wednesday, October 5, 2011.